

a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Marcus Jameyson brings a great deal of leadership and dedication to the incoming West Point class of 2003. While attending Wellington High School, Marc has attained a grade point average of 3.28, which places him among the best in his class. His academic success has placed him on the Honor Roll and Merit Roll. Currently, Marc is taking Honor's Program courses and several AP courses.

Outside the classroom, Marc has distinguished himself as an outstanding student-athlete. Marc served as the Senior Captain of the Wellington High School Varsity Wrestling Team where, in both his Sophomore and Junior years, he placed fourth in the Ohio State Wrestling Tournament. Marc is also a member of the Wellington Varsity Baseball Team. I am also pleased to announce that Marc is being recruited for Intercollegiate Athletics at West Point.

Mr. Speaker, at this point, I would ask my colleagues to stand and join me in paying special tribute to Marcus T. Jameyson. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Marc will do very well during his career at West Point, and I wish him the very best in all of his future endeavors.

1999 STUDENT CONGRESSIONAL
COUNCIL BILL ON SOCIAL SECURITY

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. REGULA. Mr. Speaker, on March 9, 1999 the 1999 Student Congressional Council in my district passed a bill that proposes to strengthen Social Security for years to come. I feel privileged to have sponsored this student group and I am especially impressed with the students' diligent work in creating this bill. I believe Congress can learn from their example by likewise working together to tackle this difficult issue.

I hereby submit the attached 1999 Student Congressional Council Bill on Social Security into the CONGRESSIONAL RECORD.

BILL PASSED BY THE 1999 STUDENT CONGRESSIONAL COUNCIL ON MARCH 9, 1999. EVENT SPONSORED BY U.S. REPRESENTATIVE RALPH REGULA, 16TH DISTRICT-OHIO

BILL SUMMARY—COMMITTEE A

The basic concept of this bill is to individualize a portion of Social Security while keeping at least half of it completely governmental. The individualized portion will serve to stimulate the American economy, lead to a general higher-than-present public understanding of investment, and grant more independence to employees with the money that they have rightfully earned. Employees will be able, with education and limitations provided by the company, to invest in endeavors such as stocks, funds, IRAs, and the government, in order to increase their playback while lessening the load on Social Security. The bill also provides for a check-and-balance system between the companies and employees, and encourages cooperation among these and the government. The employees

have the ability to cause the companies to lose benefits if they are unsatisfied, and the companies have the ability to limit the investment of the employees. Under this bill, money is provided for the Social Security fund by the budget surplus, less stress on the money resulting from less money in the actual Security fund by the budget surplus, less stress on the money resulting from less money in the actual Security fund, and, in cases, the "matching-the-employees-investments" of companies. The bill also provides for changes that may result from financial crisis, economic slumps, and/or corporate dilemmas, if not addressed by the bill (which many are), then as designated by new amendments, law, or judicial review.

Introduced by: Committee A, Central Catholic High School, Canton, Ohio, GlenOak High School, N. Canton, Ohio, Jackson High School, Massillon, Ohio, and Minerva High School, Minerva, Ohio.

1. Over the next twenty years (1999-2019), an amount of each year's gross national budget surplus equal to the higher of 50% of the surplus or forty-four billion three hundred million dollars will be allotted to the Social Security pool of finance. This investment will provide a foundation for and complement to the near-future implementation of Social Security funds. All mentioned money will be placed into an exclusive Social Security fund.

II. The money currently allotted for Social Security on each American citizen worker's income will be hereafter dubbed "The Security and Investment Plan."

A. The S&I Plan will divide current Social Security allotments into two parts: an unchanged Social Security fund and a Long-term Investment Allocation.

1. Social Security fund

a. The money under this account will be monitored and administered as it is in the current system as of the nineteenth of February 1999.

b. The money under this account must represent at least fifty percent of the S&I money.

2. Long-term Investment Allocations

a. The LTIA will be money that has the opportunity to increase at a rate that will produce more money in the long run than the regular Social Security fund. It will also run than the regular Social Security fund. It will also stimulate the American economy via individual investment in US interests.

b. This money will be monitored by each company and reported to the Congressional Ways and Means Social Security Subcommittee annually for reference.

c. This money is in the control of the individual who has the option to surrender its control to the company to invest as it sees fit or to monitor it individually.

Individual Investment

i. The employing company will provide access to employees as to the status of the questioning employee's money. This access may be via computer network or server, the Internet, telephone, and/or other mediums. This access may be either inherent in the privileges of the employee or granted upon request and approval through a superior or other employee or employer.

ii. The employing company will provide employees with investment education.

iii. The employing company may place limits on employee investment such as the restriction of certain forms of investment, certain risk-levels of investments, and/or simultaneous sums of investment transactions.

iv. If an employee subscribed under the LTIA option has a reason agreed by the employing company and employee to be a situation or plausible cause for a situation of extreme need for the invested money, the em-

ployee may withdraw the LTIA funds before the designated time of retirement with a ten percent penalty to be paid to Social Security.

III. Employing companies will be given the option to establish a Security and Investments Plan.

A. The employing must demonstrate competent use of the plan. If less than twenty-five percent of the company's employees are not participating in the LTIA option of the S&I Plan, the company will no longer be considered eligible for the plan.

B. There will be incentives for companies to subscribe under the S&I Plan.

1. An overall four tenths of a percent tax cut for the first twelve months of the S&I incorporation and two tenths of a percent for each year of incorporation thereafter.

2. The company may choose to match each worker's choice of LTIA investment with an equal investment in the interest of Social Security. In this case, the tax cuts will be raised to five tenths of a percent and three tenths of a percent respectively.

3. Corporate brokerage firms who aid companies in organized investment of the LTIA funds will be granted a one-hundredth of a percent overall tax cut.

IV. this bill may be altered or amended as the law-making processes of the United States deem proper and necessary to the improvement of the plan without destabilizing the basic tenets of the bill.

V. If an individual's employing company is not a member of the S&I Plan, then that individual may, through an application process determined by an S&I company, apply to become involved in that company's S&I plan without becoming an employee of that company. However, that individual will have to pay a maximum of 10% in commission to the company.

MONTELLO STUDENTS SPACE
SEED PROJECT ON SPACE SHUTTLE
DISCOVERY

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. PETRI. Mr. Speaker, this past year, students from Montello, Wisconsin worked on a project that entailed an international experiment which was included on last fall's historic Discovery space shuttle flight.

The experiment involved vials of lettuce seeds from Wisconsin and chicory seeds from Italy being subjected to micro gravity, extreme heat and cold during the NASA flight. While in space, the project was tended by astronaut John Glenn. The seeds are being studied to determine the effects of space travel. Early results indicated that the space seeds did as well as the control seeds despite not being fertilized. This unexpected finding could have far-reaching implications for the environment.

The school-wide project included students of different ages and the central theme allowed all types of classes to be involved, such as English, history, and agriculture. The seed project, "Growing Montello Transglobally" is a joint effort with students from the Il Montello region of Italy. The students communicated over the Internet using an Italian translator program.

During a visit to Montello High in January, I had the opportunity to discuss the project with the students and was impressed by their interests and abilities. I toured classes where students had participated in computer portions of

the project, from sharing and tracking information with their sister school in Montello, Italy, to downloading and sending digital photographs. I was also impressed by a video documentary of the project and related activities that was made in conjunction with the Experimental Aircraft Association (EAA).

The Wisconsin students were able to go to Florida to view the Discovery launch in October. They raised their own money for the trip through a variety of fund-raisers which included selling cookies and T-shirts and hosting a spaghetti dinner.

Seventh and eighth grade students in the Montello School system are co-authoring a children's picture book. The students developed their own ideas for the character, plot, settings and illustrations featuring children from Montello, Italy and Montello, Wisconsin. The book will feature NASA projects as seen from the children's perspective. They will be submitting the book to a professional publisher. A literacy quilt was created to highlight the success of the NASA Project.

Catherine Alexander, teacher, has been asked to have the students do a multimedia presentation on the seed project at the Naval Academy in Annapolis in September.

The time and effort the students of Montello, Wisconsin and Il Montello of Italy put into this project was phenomenal and their achievements and successes should be recognized. I believe these students deserve a full measure of praise for all they have accomplished.

IN SPECIAL RECOGNITION OF
LONA R. PIEPER ON HER APPOINTMENT TO ATTEND THE
UNITED STATES MILITARY
ACADEMY

HON. PAUL E. GILLMORE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. GILLMORE. Mr. Speaker, I rise today to pay special tribute to a truly outstanding young lady from Ohio's Fifth Congressional District. Recently, I had the opportunity to nominate Lona R. Pieper for an appointment to attend the United States Military Academy at West Point, New York.

I am pleased to announce that Lona has been offered an appointment and will be attending West Point with the incoming cadet class of 2003. Attending one of our nation's military academies is one of the most rewarding and demanding time periods these young men and women will ever undertake. Our military academies provide the training and experience needed to help turn these young adults into the finest officers in the world.

Mr. Speaker, without question, Lona Pieper belongs with the incoming West Point class of 2003. While attending Wellington High School, in Wellington Ohio, Lona achieved a grade point average of 2.92, which has earned her several Merit Awards and placed her on the Honor Roll each year. In addition, Lona has served as Vice President of the Senior Class and President of the Key Club. She has also been active in the French Club, Student Council, and Civil War Club.

Not only has Lona distinguished herself in the classroom, but she has performed wonderfully on the fields of competition. An outstanding student-athlete, Lona is the starting centerfielder on the Wellington High School Varsity Softball Team and is the team's Co-Captain. I am happy to announce that Lona is being recruited for Intercollegiate Athletics at West Point.

My Speaker, at this point, I would ask my colleagues to stand and join me in paying special tribute to Lona Pieper. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Lona will do very well at West Point, and I wish her much success in all of her future endeavors.

TRIBUTE TO LESTER AND LOIS
WHITING

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a distinguished couple in my community.

Lester and Lois Whiting lived, worked, and raised their family in the Tichnor community and resided there all their days. They were both descendants of pioneer families in south Arkansas County. They were the kind of people that always cared about their neighbors and community, were always ready to do their part for the common good.

The Whitings were the kind of people that only wanted a fair chance. They took care of their own business and achieved success in doing this.

They brought honor and distinction to their family and community with their quiet service and support. They are of the "Greatest Generation" that worked hard, played by the rules, and made this country what it is today.

If as some say, your children are the true measure of your success, then the Whitings are indeed successful.

I have been privileged to have lived among wonderful people like the Whitings all of my life.

The world is a better place because they lived. I have been blessed to have had such friends.

THE MULTIDISTRICT TRIAL
JURISDICTION ACT OF 1999

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SENSENBRENNER. Mr. Speaker, today I am introducing the Multidistrict Trial Jurisdiction Act of 1999 at the behest of the Administrative Office of the U.S. Courts (or "AO").

The AO is concerned over a Supreme Court opinion, the so-called Lexecon case, pertaining to Section 1407 of Title 28 of the U.S. Code. This statute governs Federal multidistrict litigation.

Under Section 1407, a Multidistrict Litigation Panel—a select group of seven Federal judges picked by the Chief Justice—helps to consolidate lawsuits which share common questions of fact filed in more than one judicial district nationwide. Typically, these suits involve mass torts—a plane crash, for example—in which the plaintiffs are from many different states. All things considered, the panel attempts to identify the one district court nationwide which is best adept at adjudicating pretrial matters. The panel then remands individual cases back to the districts where they were originally filed for trial unless they have been previously terminated.

For approximately 30 years, however, the district court selected by the panel to hear pretrial matters (the "transferee court") often invoked Section 1404(a) of Title 28 to retain jurisdiction for trial over all of the suits. This is a general venue statute that allows a district court to transfer a civil action to any other district or division where it may have been brought; in effect, the court selected by the panel simply transferred all of the cases to itself. According to the AO, this process has worked well, since the transferee court was versed in the facts and law of the consolidated litigation. This is also the one court which could compel all parties to settle when appropriate.

The Lexecon decision alters the Section 1407 landscape. This was a 1998 defamation case brought by a consulting entity (Lexecon) against a law firm that had represented a plaintiff class in the Lincoln Savings and Loan litigation in Arizona. Lexecon had been joined as a defendant to the class action, which the Multidistrict Litigation Panel transferred to the District of Arizona. Before the pretrial proceedings were concluded, Lexecon reached a "resolution" with the plaintiffs, and the claims against the consulting entity were dismissed.

Lexecon then brought a defamation suit against the law firm in the Northern District for Illinois. The law firm moved under Section 1407 that the Multidistrict Litigation Panel empower the Arizona court which adjudicated the original S&L litigation to preside over the defamation suit. The panel agreed, and the Arizona transferee court subsequently invoked its jurisdiction pursuant to Section 1404 to preside over a trial that the law firm eventually won. Lexecon appealed, but the Ninth Circuit affirmed the lower court decision.

The Supreme Court reversed, however, holding that Section 1407 explicitly requires a transferee court to remand all cases for trial back to the respective jurisdictions from which they were originally referred. In his opinion, Justice Souter observed that "the floor of Congress" was the proper venue to determine whether the practice of self-assignment under these conditions should continue.

Mr. Speaker, this legislation responds to Justice Souter's admonition. My bill would simply amend Section 1407 by explicitly allowing a transferee court to retain jurisdiction over referred cases for trial, or refer them to other districts, as it sees fit. This change makes sense in light of past judicial practice under the Multidistrict Litigation statute. It obviously promotes judicial administrative efficiency. I therefore urge my colleagues to support the Multidistrict Trial Jurisdiction Act of 1999.